IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3869 OF 2006

Ravikant Harishchandra
Shinde and Ors. .. Applicants
Versus
State of Maharashtra

Mr.H.E.Palve for applicants
Ms.M.M.Deshmukh, A.P.P. for State.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 20th October 2006.

P.C.

. The Trial Judge has observed while rejecting the application preferred by the applicants for bail, that the investigations are going on and report under section 173 was required to be filed. Application for bail made by the applicants has been rejected only on the ground that the prosecution is Re-investigating

the crime. Prosecution was granted two weeks' time to complete Reinvestigation. This order was passed on 18th September 2006. None dispute that two weeks' time has already expired. In such circumstances, once the trial court itself has granted liberty to file fresh application, no useful purpose will be served by entertaining this application here. This application is allowed to be withdrawn with liberty to approach trial court. Trial Court to consider the application afresh in the light of its order dated 18th September 2006 and without in any manner being influenced by rejection of the bail application preferred earlier.

(S.C.Dharmadhikari, J)